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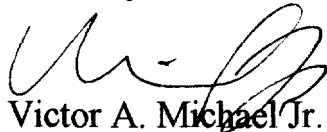
December 11, 1996

Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

Dear Secretary,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Alberton, Montana.

Sincerely,



Victor A. Michael Jr.

President

Vixon Valley Broadcasting

c/o Magic City Media  
1912 Capitol Avenue, Suite 300  
Cheyenne, Wyoming 82001

307-632-4400

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Before the

**FEDERAL COMMUNICATIONS COMMISSION**

Washington, DC 20554

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In the matter of:

)

)

Amendment of Section 73.202 (b) )

)

RM-\_\_\_\_\_

Table of Allotments

)

)

FM Broadcast Stations

)

)

(Alberton, Montana)

### **PETITION FOR RULE MAKING**

In this petition, Vixon Valley Broadcasting is hereby requesting to allot channel 284A (104.7 Mhz) to Alberton, Montana as its first local FM allotment.

#### **INTRODUCTION**

1. This statement is a petition for rule making to allot FM channel 284A (104.7 Mhz) to Alberton, Montana and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 284A to Aberton will have.

#### **DISCUSSION**

2. Alberton is located in west central Montana. It is also located within Mineral County, a county of some 3,315 persons. Alberton has a population of 354 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 284A to Alberton will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Alberton is located at Missoula, Montana. Missoula is located 38 kilometers from Alberton.

It is obvious that from the above spacing that Alberton is presently without local FM service.

4. Alberton would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 38 Kilometers of Alberton. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Alberton area of emergency conditions caused by severe weather or other health hazards.

5. Channel 284A can be allotted to Alberton and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Alberton, Montana	-----	284A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 284A and the pertinent adjacent channels to 284A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study ( N 47 - 00' - 30", W. 114 - 29' - 00") are that of a site located within the community of Alberton. No site restriction will be required to allot channel 284A to Alberton. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Alberton. These sites would also provide full minimum spacing requirements to other allotments.

### CONCLUSION

7. It has been shown that Alberton would benefit from the allotment of channel 284A. It has also been shown that channel 284A can be allotted to Alberton and meet all rules regarding spacing from other stations. Considering these two facts, Vixon Valley Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 284A for Alberton, Montana , 73.202.

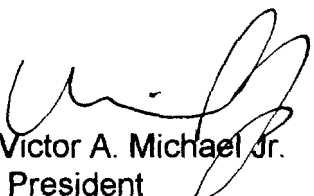
8. Should channel 284A be allotted to Alberton, Montana, I certify that I will file an application for a Construction Permit to operate an FM station for Alberton, Montana.

## CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: December 11, 1996

Respectfully submitted,



Victor A. Michael Jr.  
President  
Vixon Valley Broadcasting

c/o Magic City Media  
1912 Capitol Avenue, Suite 300  
Cheyenne, Wyoming 82001

(307) 632-4400

MAPFM search of channel 284A (104.7 MHz), at N. 47 0 30, W. 114 29 0.

Searching Channel 284A (104.7 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
NEW-T	Ronan	MT	231	D	A	64.9	0.0	26.7°	64.9
ALC	Cranbrook	BC	284	C		285.5	259.0	342.7°	26.5
NEW	Cranbrook	BC	284	C		285.5	259.0	342.7°	26.5
ALC	Cascade	MT	285	C	V	235.3	165.0	77.2°	70.3
ALC	Helena	MT	287	C	U	166.7	95.0	100.0°	71.7
KMTXFM	Helena	MT	287	C	L	166.7	95.0	100.0°	71.7

FIGURE 1  
SPACING STUDY  
ALBERTON, MONTANA

ALBERTON QUADRANGLE  
MONTANA  
7.5 MINUTE SERIES (TOPOGRAPHIC)  
SW/4 ALBERTON 15' QUADRANGLE

FIGURE 1A  
U.S.G.S. MAP SHOWING  
ALBERTON, MONTANA

